

JACK RUSSO (State Bar No. 96068)  
RUSSO & HALE LLP  
401 Florence Street  
Palo Alto, CA 94301  
Telephone: (650) 327-9800  
Facsimile: (650) 327-3737  
Email: jrusso@computerlaw.com

Attorneys for Defendant  
WESLEY MAYDER

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

VERIGY US, INC., a Delaware Corporation,

Plaintiff,

v.

ROMI OMAR MAYDER, an individual;  
WESLEY MAYDER, an individual; SILICON  
TEST SYSTEMS, INC., a California  
Corporation; and SILICON TEST  
SOLUTIONS, LLC, a California Limited  
Liability Corporation, inclusive,

Defendants.

AND RELATED CROSSCLAIMS.

Case No. 5:07-cv-04330-RMW (HRL)

**DECLARATION OF JON DAVIDSON IN  
SUPPORT OF MOTION FOR SUMMARY  
JUDGMENT (F.R.C.P., RULE 56) AND  
MOTION FOR RULE 11 SANCTIONS  
(F.R.C.P., RULE 11)**

**Date: July 18, 2008**

**Time: 9:00 a.m.**

**Ctrm: 6**

**Before the Hon. Ronald Whyte**

Complaint Filed: August 22, 2007

Trial Date: December 8, 2008 (jury trial)

(Defendants have elected to reserve their jury  
trial rights under F.R.C.P., Rule 38)

I, Jon Davidson, declare under penalty of perjury as follows:

1. Unless otherwise stated, the matters set forth in this Declaration are true and correct  
of my personal knowledge, and I could and would competently testify concerning those matters, if  
I were called as a witness thereto.

**MY EDUCATION**

2. I graduated from Del Mar High School located in San Jose, California in 1987.

**MY WORK EXPERIENCE**

3. From 1989 to 1992, I worked at California Stools and Dinettes located in San Jose,

1 California as a sales associate. From 1992 to 1996, I worked at Del Computers in Dallas, Texas.

2 4. From 1996 to 2001, I returned to work at California Stools and Dinettes located in  
3 San Carlos, California as a sales manager. In 2002, I joined WeDirect as Director of Marketing  
4 and am still currently employed by WeDirect. I am not a shareholder in STS nor has STS paid me.

5 **MY KNOWLEDGE OF ROMI'S WORK**

6 5. I have known both Romi and Wesley Mayder for a number of years. In September  
7 2006, I began having discussions with Romi Mayder ("Romi") regarding the work that he was  
8 doing at STS LLC. Romi and I spoke about potential STS LLC customers, such as SanDisk,  
9 whom Romi told me he had met with several times. Romi had explained to me that he was  
10 planning to develop a silicon chip that would double the test capacity of memory manufacturers.

11 6. In October 2006, Romi and I spoke about discussions that he had with Micron  
12 Technologies. I was quite interested in his discussions with Micron since Micron manufactures  
13 memory used in Apple's IPOD music (MP3) player. I am a big fan of the Apple IPOD product.

14 7. In mid-December 2006, Romi sent an email to Wesley asking about obtaining  
15 verification of dates applicable to his lab notebook. Since I had spoken several times with Romi  
16 about his work at STS LLC, Wesley knew that I would be a good person for Romi to be referred  
17 to. I reviewed Romi's notebook, and based on my recollection of our discussions, I tried to sign  
18 with dates corresponding to approximately when we discussed the information. Wesley never  
19 directed me to do anything false or anything wrongful, nor would I would do so.

20 8. Wesley did not ask me to sign Romi's notebook, Romi did. Wesley had no control  
21 over me regarding this activity. I signed Romi's notebook of my own free will; my understanding  
22 was and is that what I was doing and what I did was proper.

23 9. Without first asking me any questions about the lab notebook or about my  
24 discussions with Romi, in 2007, Verigy filed a complaint including against Wesley.

25 10. I have been available to answer any questions that Verigy or its lawyers wish to ask  
26 me but no attorney from Verigy and no one else from Verigy has asked me any questions about any  
27 of the foregoing topics.

28 //

1 I declare under penalty of perjury, under the laws of the State of California, that the  
2 foregoing is true and correct and that this declaration was executed on April 11, 2008, in San Jose,  
3 California.

4 /s/  
Jon Davidson

5 I attest under penalty of perjury that concurrence in the filing of this document has been  
6 obtained from Jon Davidson.

7 Dated: June 10, 2008

8 By: /s/  
Jack Russo